IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.RAMACHANDRAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 13TH DECEMBER, 2006 / 22ND AGRAHAYANA, 1928

RFA.No. 496 of 2004()

(JUDGMENT AND DECREE PASSED IN OS.67/2001 of SUB COURT,KATTAPPANA DTD.11.7.2003)
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APPELLANT/PLAINTIFF:

K.K.ELANKOVAN, AGED 45 YEARS,
S/O. KATHIRAYYA GOWDAR, 72B/23,
NANDAGOPALAN KOVIL STREET, KUMBUM TOWN,
UTHAMAPALAYAM TALUK, IDUKKI DISTRICT.

BY ADV. SRI.VAKKOM N.VIJAYAN
SMT.VINITHA PRASANNAN
SRI.P.ANIYAN
SMT.RAGAM.K.P.
SMT.REENA.C.STEPHENSON

RESPONDENTS/DEFENDANT AND ADDL. DEFENDANT:
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1. P.I. VARGHESE (PAPPACHAN, AGED 51 YEARS)
S/O. ISSAC, PUTHENPARAMBIL HOUSE, 5TH MILE,
CHAKKUPALLAM KARA, CHAKKUPALLAM VILLAGE.

2. MASS ENTERPRISES LTD.,
VANDANMEDU, REPRESENTED BY THE MANAGING DIRECTOR,
MASS ENTERPRISES LTD., VANDANMEDU KARA,
VANDANMEDU VILLAGE.

BY ADV. SRI.MATHEW JOHN.K (CAVEATOR)
SRI.SUJESH MENON V.B.

THIS REGULAR FIRST APPEAL HAVING BEEN FINALLY HEARD

ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE

FOLLOWING:

M. RAMACHANDRAN & A.K.BASHEER, JJ.

R.F.A.NO. 496 OF 2004 B

Dated this the 13th day of December, 2006

J U D G M E N T

Ramachandran, J.

I.A.No.4630 of 2006 has been filed whereby this Court is informed that the matter in dispute has been settled between the parties and therefore, leave may be granted to withdraw the appeal. Leave is granted. The appellant will be entitled to refund half of the court fee paid.

The appeal is dismissed as withdrawn.

Sd/-

M. Ramachandran, Judge

sd/-
A.K.Basheer, Judge

Mbs/

-True copy-

P.A.to Judge.

M. RAMACHANDRAN &
A.K.BASHEER, JJ

W.P.(FC).NO. OF 200

J U D G M E N T

DATED: -11-2006